

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) for use with any US application including US national stage application filed under 35 USC 371.</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing  <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge under 37 CFR 1.16(e))	Attorney Docket No.	UCD-2004-404-WO-US
	First Named Inventor	Raymond Rodriguez
	Application Number	u/k
	Title	The Use of Lunasin Peptide as a Transcriptional Activator to Prevent Cancer and Related Methods for Treatment, Monitoring and Prognosis
	Filing Date	u/k
	Group Art Unit	u/k
	U.S. National Filing Date	u/k
	Priority Date	1 <sup>st</sup> March 2004
	Priority Application	60/549,487
	International Applcn. No.	PCT/US2005/004868
International Filing Date	15 <sup>th</sup> February 2005	
Group Art Unit	u/k	
Examiner Name	u/k	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**"The Use of Lunasin Peptide as a Transcriptional Activator to Prevent Cancer and Related Methods for Treatment, Monitoring and Prognosis "**

The specification of which

is attached hereto or  
 was filed on \_\_\_\_\_ as  
 United States Application Number \_\_\_\_\_  
 PCT International Application Number \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application (s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? (Y/N)
PCT/US2005/004868	PCT	15 <sup>th</sup> Feb 2005		N
<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/0213 attached hereto:				

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

Application Serial No.	Filed	Status (Pending, Abandoned, Patented)
60/549,487	1 <sup>st</sup> March 2004	lapsed
60/621,217	21 <sup>st</sup> October 2004	lapsed

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States non-provisional applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in said prior applications in the manner required by the first paragraph of Title 35, United States Code Section 112, I acknowledge my duty to disclose material information as defined in Title 37 Code of Federal Regulation, Section 1.56(a) which occurred between the filing dates of the prior applications and the national or Patent Cooperation Treaty international Filing date of this application:

Application Serial No.	Filed	Status (Pending, Abandoned, Patented)

<b>Direct all correspondence to:</b>		
<input checked="" type="checkbox"/> Customer number 039843 (associated with address below) <i>OR</i> <input type="checkbox"/> address below.		
Name: Bell & Associates		
Address: 416 Funston Avenue, suite 100		
CITY: SAN FRANCISCO	STATE: CALIFORNIA	ZIP 94118
Country: USA	Telephone: (415) 752-4085	Fax: (415) 276-6040

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any parent issued thereon.

<p style="text-align: center;">(Placeholder for Inventor Information)</p>			
<b>NAME OF SOLE OR FIRST INVENTOR:</b> <b>Raymond Rodriguez</b>		<input type="checkbox"/> a petition has been filed for this unsigned inventor	
Given Name (first and middle, if any)		Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
<b>Mailing Address</b>			
City	State	Post Code	Country

<p style="text-align: center;">(Placeholder for Inventor Information)</p>			
<b>NAME OF SECOND INVENTOR:</b> <b>Mark Magbanua</b>		<input type="checkbox"/> a petition has been filed for this unsigned inventor	
Given Name (first and middle, if any)		Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
<b>Mailing Address</b>			

<p style="text-align: center;">(Placeholder for Inventor Information)</p>			
<b>NAME OF THIRD INVENTOR:</b>		<input type="checkbox"/> a petition has been filed for this unsigned inventor	
Given Name (first and middle, if any)		Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
<b>Mailing Address</b>			
City	State	Post Code	Country
City	State	Post Code	Country

<b>NAME OF FORTH INVENTOR:</b>		<input type="checkbox"/> a petition has been filed for this unsigned inventor	
<b>Given Name (first and middle, if any)</b>		<b>Surname</b>	
<b>Inventor's Signature</b>		<b>Date</b>	
<b>Residence: City</b>	<b>State</b>	<b>Country</b>	<b>Citizenship</b>
<b>Mailing Address</b>			
<b>City</b>	<b>State</b>	<b>Post Code</b>	<b>Country</b>

Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) Sheet(s)  
PTO/SB/02A attached hereto.

## ASSIGNMENT

U.C. Case No. 2004-404-3 (US National phase application filed under 35 USC 371)

For good and valuable consideration, the receipt of which is hereby acknowledged,  
ASSIGNOR(S),

1. RAYMOND L. RODRIGUEZ
2. MARK JESUS M. MAGBANUA

hereby sells, assign and transfers at ASSIGNEE, The Regents of the University of California, a California Corporation, having its state-wide administrative offices located at 1111 Franklin Street, floor 12, Oakland, CA 94607, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any all improvements which are disclosed in the invention entitled:

**TITLE: The Use of Lunasin Peptide as a Transcriptional Activator to Prevent Cancer and Related Methods for Treatment, Monitoring and Prognosis**

and which is found in:

- (a)  US provisional application filed herewith and listing the above named person as inventor(s)
- (b)  US non-provisional application filed herewith and listing the above named person as inventor(s)
- (c)  US application serial No. XXXXXXXXXX filed on XXXXXXXXXX that was filed under 35 U.S.C. 371 as a US national phase application of PCT/US2005/004868, filed 15<sup>th</sup> February 2005, published as WO 2005/091823 on 6<sup>th</sup> October 2005.

(d)  US patent No. \_\_\_\_\_ issued on \_\_\_\_\_

and any legal equivalent thereof in any foreign country including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, re-examination or extension of said Letters Patent and all rights under all international conventions of the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters

Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, invention and Letters Patent and equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) request the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

Executed this

Signature of inventor(s)

       day of \_\_\_\_\_, \_\_\_\_\_

RAYMOND L. RODRIGUEZ

       day of \_\_\_\_\_, \_\_\_\_\_

MARK JESUS M. MAGBANUA